

**APPENDIX E**

**PETITION PROCEDURE TO CREATE A  
RURAL SPECIAL IMPROVEMENT  
DISTRICT (RSID) UNDER SECTION 7-12-  
2101, M.C.A.**

2006

## **APPENDIX E**

### **PETITION PROCEDURE TO CREATE A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID) UNDER SECTION 7-12-2101 M.C.A.**

#### **A. GENERAL**

The Board of County Commissioners is authorized and empowered to order and create special improvement districts whenever the public interest or convenience may require (7-12-2102, MCA). The purpose of a Rural Special Improvement District (RSID) is to provide funding for improvements and maintenance of pre-existing improvements including, but not limited to roads (streets, lanes, alleys, crossings or intersections, courts, and places which have been dedicated and accepted according to the law or in common and undisputed use by the public for a period of not less than five years next preceding), ditches, bridges, culverts, curbs, gutters, sewers, dry hydrants and waterworks. A Petition to Create a Rural Special Improvement District must have the consent of at least 60 percent of the land owners located in the proposed District.

1. Obtain a petition packet from the Stillwater County Planning. Each packet contains all the necessary documents to be filled out. Read the petition procedure carefully. If you have any questions or need clarification about the petition procedure, please contact the Planning Office at 406-322-8050. Incomplete or inaccurate petitions will cause delays in the petition process and will not be processed by the Planning Office.

2. Complete the cover sheet of the Petition to Establish a Rural Special Improvement District. Include the date submitted and the name, address, phone number, and signature of the petitioner.

3. Provide two maps detailing the Rural Special Improvement District. Darken and/or highlight the map to clearly identify the District boundary (Section A).  
The proposed District boundary could be shown on the following:

- a. Subdivision Plat
- b. Certificate of Survey

These maps are available at the Clerk and Recorder's Office (2nd Floor of the County Courthouse).

4. Provide legal descriptions of the property within the proposed District (Section B).

Example:

Lots 1-8, Block 1, Sunshine Subdivision

Lots 1-4, Block 2, Happy Subdivision

Etc.

5. Indicate the annual maintenance activities desired (Section C), including the estimated costs. Contact the Town Public Works Director (for Columbus), the County Road and Bridge Superintendent, or the Fire Department of jurisdiction for assistance with cost estimates based on activities requested. Maintenance activities could include but are not limited to:

- a. snow plowing/road blading
- b. water system maintenance
- c. weed control
- d. sewer system maintenance
- e. dry hydrant maintenance
- f. maintenance of common land areas

If specific improvements are desired please list them as well as the estimated cost. Petitioner may want to consider hiring a consulting engineer to assist in the development of a cost estimate.

6. Choose a method of assessment for the properties in the proposed Rural Special Improvement District (Section D):

- a. Square Footage: Each lot, tract, or parcel of land in the district is assessed based on its area as a percentage of the total property within the district.
- b. Equal Amount: Each lot, tract, or parcel of land in the district is assessed the same amount.
- c. Front Footage: Each lot, tract, or parcel of land in the district abutting upon the improvement is assessed based on its lineal feet abutting the improvement as a percentage of the total lineal feet of property abutting the improvement.

7. Provide recommendations for property owners to serve on an Ad Hoc Committee for the proposed Rural Special Improvement District (Section E). *An Ad Hoc Committee is made up of property owners within the district that make recommendations on matters related to the Rural Special Improvement District expenditures to all the property owners within the district and to the Board of County Commissioners.*

8. Obtain signatures of at least **60** percent of the property owners who consent to the creation of the proposed Rural Special Improvement District (Section F). *Note: Percentage is based on method of assessment chosen in Step 6 above. For example, if method of assessment is by square footage then the petition must contain the signatures of the owners of 60 percent of the total square footage within the proposed district*

9. Obtain and attach an Ownership Report from a Title Company for all legal descriptions listed in step 4 (Section G). This report must include owner names, mailing addresses, and tax codes. *Note: Cost of ownership report can only be recovered by the applicant(s) if the district is formed. It is therefore recommended that this report be obtained only after receipt of the consent of at least 60 percent of the property owners. See Step 8.*

10. Submit the petition and all necessary attachments to the Stillwater County.

Board of County Commissioners. If the Board finds that the proposed District benefits the properties listed in the petition, the Board will pass a Resolution of Intent to Create a Rural Town of Columbus and Stillwater County, Montana, Subdivision Regulations; 2007

Special Improvement District. The County Clerk and Recorder will publish notice of the passage of the Resolution of Intent to Create the Rural Special Improvement District and mail a copy of the notice to each property owner within the proposed District.

At any time within 15 days after the date of the first publication of the notice of passage of the Resolution of Intent to Create a Rural Special Improvement District, any owner of property liable to be assessed for improvements or maintenance activities may make written protest against the proposed District. Written protests must be delivered to the County Clerk and Recorder.

If protests are filed within the expiration date, a public hearing will be held at the next regular meeting of the Board of County Commissioners.

11. If no protests are delivered to the County Clerk and Recorder within 15 days after the date of the first publication or when a protest filed is found by the Board to be insufficient or overruled, the Board of County Commissioners will appoint members to the Ad Hoc Committee and pass a Resolution Creating the Rural Special Improvement District.

**PETITION TO ESTABLISH A RURAL SPECIAL IMPROVEMENT DISTRICT (RSID)**

**COVER SHEET**

**TO: STILLWATER COUNTY BOARD OF COMMISSIONERS**

This petition is respectfully submitted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Petitioner/Initiator (and/or) Contact Person:

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_

PHONE NO: \_\_\_\_\_

I swear that all of the information presented in this petition is true and correct and the landowner's signatures (Section F) are the original true and consenting landowners.

\_\_\_\_\_  
Petitioner's Signature

\_\_\_\_\_  
Date

LIST ALL ADDITIONAL ATTACHMENTS:

**SECTION A**  
**MAPS OF RURAL SPECIAL IMPROVEMENT DISTRICT BOUNDARY (ATTACHED)**

## PROPERTY LEGAL DESCRIPTIONS

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

**SECTION C**  
**ESTIMATED ANNUAL MAINTENANCE COST**  
**(SAMPLE)**

**FALL MAINTENANCE:**

ACTIVITY	ESTIMATED COST
	\$
	\$

**WINTER MAINTENANCE:**

ACTIVITY	ESTIMATED COST
	\$
	\$

**SPRING MAINTENANCE:**

ACTIVITY	ESTIMATED COST
	\$
	\$

**SUMMER MAINTENANCE:**

ACTIVITY	ESTIMATED COST
	\$
	\$

TOTAL ESTIMATED ANNUAL MAINTENANCE COST: \_\_\_\_\_



**SECTION D**  
**METHOD OF ASSESSMENT**

**CHOOSE A METHOD OF ASSESSMENT:**

Square Footage:

Equal Amount:

Front Footage:

Other (Describe):

**SECTION E**  
**PROPOSED RURAL SPECIAL IMPROVEMENT DISTRICT**  
**RECOMMENDATIONS FOR AD HOC COMMITTEE**

**NAME**  
**TELEPHONE NUMBER**

1. \_\_\_\_\_ (Chairman)

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

2. \_\_\_\_\_

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

3. \_\_\_\_\_

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

4. \_\_\_\_\_

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

5. \_\_\_\_\_

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

**SECTION F**  
**CONSENT OF PROPERTY OWNERS IN PROPOSED RURAL SPECIAL**  
**IMPROVEMENT DISTRICT**

**PROPERTY LEGAL DESCRIPTION**

**OWNER (PRINTED NAME)**

**OWNER SIGNATURE**

**Consent of Property Owners**

continued .....

**PROPERTY LEGAL DESCRIPTION**

**OWNER (PRINTED NAME)**

**OWNER SIGNATURE**

**SECTION G**  
**OWNERSHIP REPORT (ATTACHED)**